

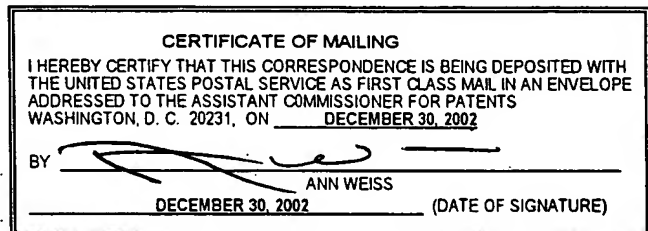
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WUTTKE, *et al.* Art Unit: 1625
Serial No.: 09/856,219 Examiner: Dentz, B. I.
Filed: September 24, 2001 Confirmation No.: 6573
For: AGENT FOR LOWERING PROLACTIN

LETTER

Assistant Commissioner for Patents
Washington, D. C. 20231

Attention: Draftsperson



Dear Sir/Madam:

Submitted herewith is an amendment to Figure 1 in the above-captioned application, including a clean copy of amended Figure 1 and a copy with markings in red to show changes made. The amendment to Figure 1 is made to correct a typographical error in the informal rendering of Figure 1 (Sheet 1/1) filed with the application on September 24, 2001, that unintentionally reversed the order of the concentration labels for Preparation 119 under the x-axis. In the formal drawing submitted herewith, this is corrected (i.e., "0.02 mg" on the left now amended to "0.002 mg"; and "0.002 mg" on the right now amended to "0.02 mg"). The original typographical error is obvious in view of the dose effect seen for all the other preparations, for which "0.002 mg" is to the left of "0.02 mg", and the larger prolactin lowering effect is seen with the larger 0.02 mg-dose. The amended Figure 1 shows the dose-effect results for Preparation 119 to be consistent with the results for all the other preparations, as actually occurred. Further support for this amendment is found in the specification at page 12, line 14 through page 13, line 3.

Applicant submits amended Figure 1, subject to approval by the Examiner.

Respectfully submitted,

By: 

Nisan A. Steinberg, Ph.D.

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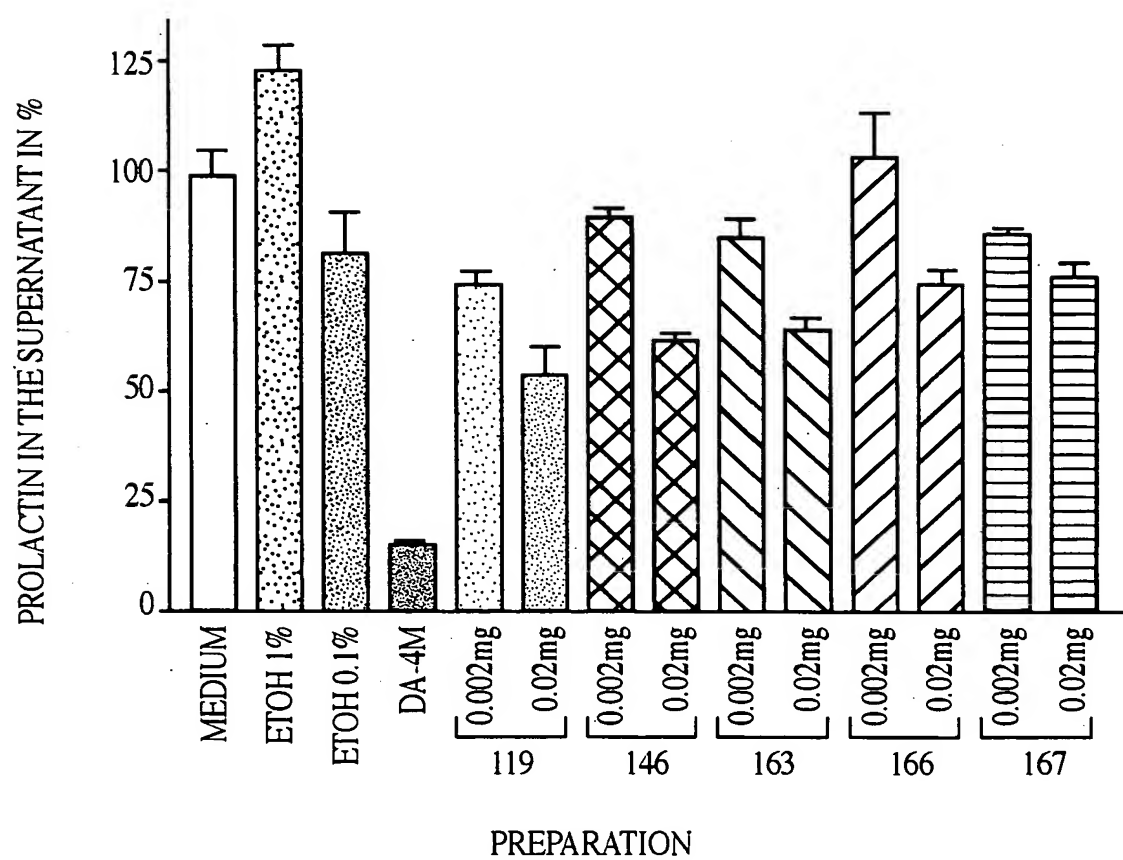


FIG. 1

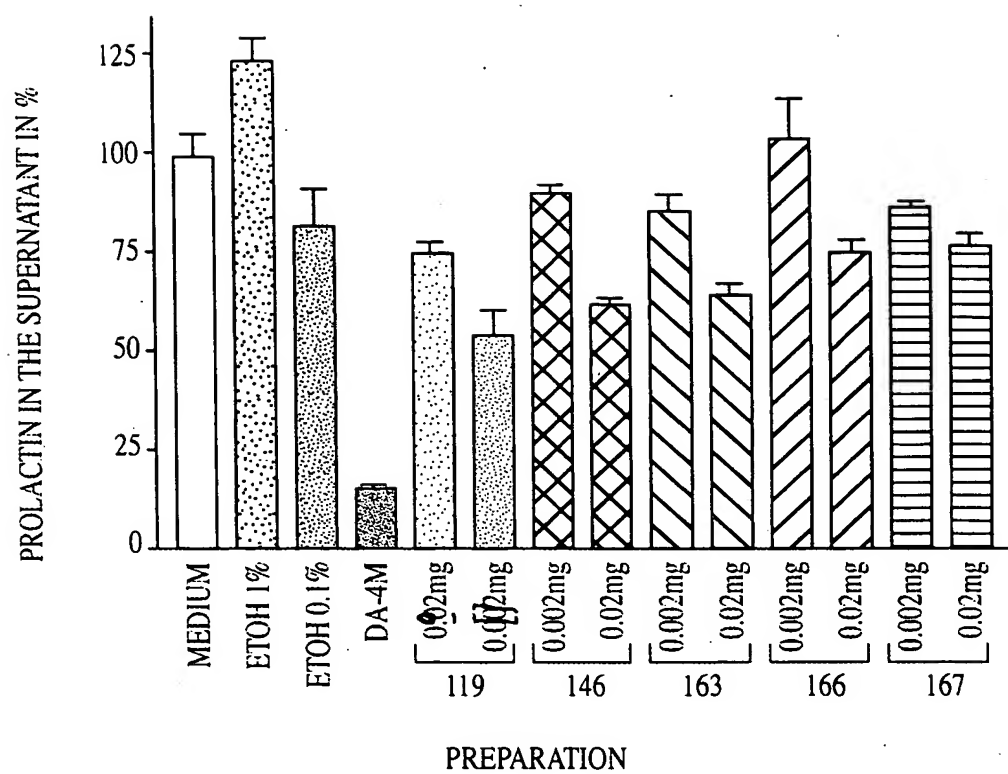



FIG. 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wuttke et al.
Intl. Appl. No.: PCT/EP99/08507
I.A. Filing Date: 05 Nov 1999
U.S. Appl. Serial No. 09/856,219
U.S. Filing Date: 18 May 2001
For: PROLACTIN LOWERING DRUG
Examiner: Unknown

Unit: --

CERTIFICATE OF EXPRESS MAILING	
<small>I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE AND LABEL INDICATED BELOW AND IS ADDRESSED TO BOX PCT, THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D. C. 20231</small>	
September 24, 2001 Date of Deposit and Signature	 Ann Weiss Express Label No. EL 773 916 755 US

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

BOX PCT
Assistant Commissioner for Patents
Washington, D. C. 20231

Dear Sir or Madam:

In response to the *Notice of Missing Requirements Under 35 U.S.C. 371* mailed 25 June 2001, Applicants submit the following documents:

1. Copy of *Notification of Missing Requirements Under 35 U.S.C. 371*;
2. Fully executed Declarations of inventors Wolfgang Wuttke; Hubertus Jarry; Michael Popp; Volker Christoffel; and Barbara Spengler; and
3. Petition for Extension of Time Under 37 C.F.R. 1.136(a) and authorization to charge extension fee to Deposit Account 50-1597.

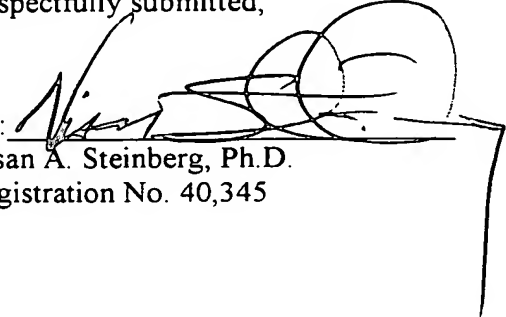
Please note that the surcharge for a large entity (\$130.00) required to submit the Declaration later than 30 months from the claimed priority was paid along with the basic National

filing fees on 18 May 2001. Nevertheless, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1597.

Also enclosed are:

3. Assignment with Transmittal authorizing Commissioner to charge to Deposit Account No. 50-1597 \$40.00 for recordation of assignment under C.F.R. 1.21(h);
4. Power of Attorney; and
5. Certificate Under 37 C.F.R. 3.73(b) Establishing Right of Assignee to Prosecute.

Respectfully submitted,

By: 
Nisan A. Steinberg, Ph.D.
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 100
United States Patent and Trademark Office
Washington, D.C. 20503

U.S. APPLICATION NO.

09/856219

FIRST NAMED APPLICANT

WUTTKE

ATTY DCKET NO.

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BIONORICA-81

INTERNATIONAL APPLICATION NO.

PCT/EP99/08507

NISAN A STEINBERG
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FILING DATE

05 NOV 99

PRIORITY DATE

19 NOV 98

DATE MAILED

25 NOV 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application.
 - ☐ Oath or Declaration of inventors(s).
 - ☐ Copy of Article 19 amendments.
 - ☐ Priority Document.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☒ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Indication of Small Entity Status.
 - ☒ Translation of the international application into English.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ Other:
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the international application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

John Anderson

FORM PCT/DO/EO/905 (March 2001)

Telephone 703-308-9116